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15. RE-ENTERING SOCIETY BEGINS PRIOR TO RELEASE

Introduction

For the vast majority of incarcerated offenders, prison is a transitional placement. They are not “home” in a corrections facility; they are moving toward release....¹

Re-entry refers to the system governing the return of prisoners to the community following a period of incarceration in a prison or detention facility. However, it does not mean just “letting them go”, but implies that offenders are “prepared” to be released. They should be in a better position at the time of release than they were at the time of their admission. The utilisation of post-release supervision in Finland is intended to act as a “safety-net” for both the offender and the community.

Re-entry as personal experience is limited to individuals who have served time in prison; it is a process during which a former prisoner returns to his or her community as a free citizen. Coming home for an ex-prisoner has a wider meaning, i.e. it means more than merely

1. Quotation from Kathy Goebel “Re-Entry and Corrections Education”. located at: <http://www.ncsall.net/?id=819>.

rejoining the lives of families, associates, and other intimates and in most cases it poses substantial challenges for the individual and his or her close associates.

This chapter focuses on the ways in which ex-convicts in Finland make sense of the re-entry experiences in coping with strained relationships, dealing with lack of education and poor work histories, finding housing and dealing with a changing world. It concentrates on the steps towards successful transition back into the community. The purpose here is to describe the approach to re-entry practice and policy in the context of KRIS-Tampere (*Criminals Returning Into Society*), a community-based organization whose principal mission is to reduce society's reliance on incarceration. KRIS has proven useful in cooperating with the government and the society at large by providing services for those in need, since the Finnish penal system provides help and support for only around 20 per cent of the released prisoners.

The process of re-entry encompasses the evaluation, planning, and programming conducted, as well as the support services implemented, to prepare and assist people who are or were previously incarcerated to return safely to the community and to reintegrate them as law-abiding citizens. For re-entry planning to become an effective tool for reintegration, it should be incorporated into activities taking place at three points, starting with the prison programming, the provision of supportive services at the time of release and post-release supportive services. KRIS is aware that on his or her return to their community an ex-prisoner confronts pre-existing arrays of social networks and many of them are extremely isolated from those networks. As a consequence of their criminal behaviour, they may have alienated their families; on the other hand, others have deliberately isolated themselves from former associates in order to stay out of trouble. This kind of re-entry devoid of support systems and detached from social connections can be a lonely process. Fortunately, KRIS provides a social network and serves as a meeting platform for those ex-inmates disconnected from their home communities.

KRIS views its support of the re-entry process as being crucial to its mission and a natural outgrowth of its direct service programmes and activities which include:

- Referral services
- Counselling
- Transportation assistance (bus tokens, bus passes)
- Mentoring
- Employment search assistance
- Housing search assistance
- Transitional shelter.

Regular meetings are scheduled to help ex-prisoners reach the goals outlined in their individual plans. Weekly meetings are offered for ex-prisoners to talk about their struggles and accomplishments and to build supportive relationships. Employment needs are assessed and clients are referred to appropriate employment leads. The emphasis of re-entry programmes is to prepare offenders for their transition back to their homes and neighbourhoods. Literacy skills, life skills instruction, employment training, parenting classes, and crime intervention programmes make up a large portion of the pre-release programmes that can be available to eligible offenders. However, resources continue to diminish as the offender population increases, thus limiting access to the required educational programmes.

Data

Data for this study comes from twenty-one interviews conducted with male and female ex-prisoners associated with KRIS programmes while transitioning from prison to the free world. At the time the interviews were carried out, 85 per cent of the interviewees had successfully

avoided re-arrest, reconviction, and re-incarceration for more than three years following their release from prison, and 15 per cent have not yet crossed the three-year line. These returning offenders need to overcome a myriad of obstacles as they return to their communities, which became evident in the interviews we conducted:

- Three-quarters of those interviewed have a history of substance abuse.
- Two-thirds of them do not have a high school diploma or equivalency.
- About 90% were unemployed before they were incarcerated. A criminal record hinders both their employability and their earning capabilities.

Given this stark picture, the current emphasis on re-entry must remain a high priority for correctional educators and the criminal justice system as a whole. It became evident from analysing the available data that certain in-custody treatments—for instance, cognitive skills treatment, drug treatment, vocational and educational training - were tools needed by the majority of the inmates to successfully lower their recidivism rate. These treatments are most effective when programmes are matched to the prisoner's needs and challenges, when they are well-managed, and when they continue to be supported through post-release supervision. While current studies cite only modest reductions in recidivism rates for participants, these small reductions can have significant aggregate impacts on criminal behaviour in communities with high concentrations of returning prisoners. In addition to individual rehabilitative benefits, programming may also be beneficial to the internal management of correctional institutions, as idle prisoners are more likely to cause trouble. Research on the topic suggests that some level of structured activity (education, job training, prison industry, etc.) is vital to running a safe and humane prison.

Most prisoners do not participate in prison programmes; however, the rate of participation among those interviewed was 87 per cent.

About one-third of them participated in vocational programmes or educational programmes, though large numbers of them were released before completion of the vocational and educational training due to the short sentence policy in Finland; few continued and completed the training on the outside.

Re-entry planning differs among inmates, depending on the length of sentence and the willingness of the inmate both to start accepting the fact that they are within prison walls and to start preparing for his/her re-entry. When asked at what point of time during their sentences they had started thinking about coming out and whether they would successfully stay out of prison after release, most of the responses took the length of the sentence into account. This was clearly expressed by one interviewee:

When I started serving that sentence I was a remand prisoner and I was charged for a deed for which I was expecting about six years, seven years or maybe even eight years of prison time. The criminal charges against me were quite bad and somehow I felt that my life was about to end, that this is the end, ... But then, we went to court and the charges against me were lessened enough that somehow I regained myself, a will to live again, somehow the belief that I wouldn't have to serve for so long after all, and maybe it was then, I got a kind of feeling that I am going to be released from here, If it had been six, seven years I don't think I would've been looking to the future and wondering what life had in store for me after my release, I think I probably would've killed myself at that point. I was so tired with all that stuff at that point.... So when I got the release date somewhere along the way... I started doing things. I started to attend the substance programmes, various rehab cycles, attended various programmes, and then somehow... I started to believe that yes I will be released from here and that maybe I don't need to come back, that I can change... that this sixth time had to be my last.

When people are about to be freed, they face numerous issues, among them accommodation and finance. They worry where they would stay once they are released. Are they going to stay with their mother, aunt, brother, ex-girlfriend? How can they support themselves, where can they find suitable employment? One of the interviewees encapsulates the feelings and thoughts of many in his response:

For the last year of my sentence I thought I was being released into some sort of rehab centre, thought I would be going to continue my rehab outside prison directly from prison. So, I didn't really think about work or an apartment or anything like that that much but when I found out that my home town couldn't afford my rehab and that I'd be returning to my town I was in a bit of a hurry to find an apartment to rent. Well, turned out that was easily organised by the detox department where I was spending my time before my release. It was an open prison so it was easy... went to the letting agency in my home town with my substance welfare councillor and found me an apartment for when I'd be released. After that I didn't have to think about that anymore. But the job, I hadn't really ever worked apart from some courses and the work experience or work trial things I had been sent on and I wasn't even interested in working, so I didn't even think about the whole thing. I was thinking I'd get by on KELA's (the Finnish Social Insurance Institution) welfare benefit which is 400 euros a month until I figured out what I was going to do. I didn't stress about it much, the only thing what I was a bit concerned about concerning my release was how I was going to stay sober, that I don't go off and take drugs or get drunk because I knew where I would end up if I started that again. I lose all my capacity for thinking when I put chemicals in my body and I'll go off the rockers, I'll be up to my old tricks again. I had learnt to live a sober life in prison for one and a half years but I didn't have any tools for that on the outside.

During the interviews, the ex-prisoners were asked whether the question of finding and keeping respectable accommodation affected their

re-entry plans. The majority of respondents complimented both the Finnish penal system and the social welfare system on their policy and on the support that was extended to them. In Finland, when a prisoner is reaching the end of his or her sentence, they are provided with the opportunity to rent an apartment. They automatically become eligible for a government housing allowance, and the social welfare office subsidises their rent until the prisoners can financially support themselves. The response below illustrates the workings of the system:

The social welfare paid for my housing. I got the apartment just before I was released I think, a few months before my release I started to look for the apartment with the substance welfare councillor from the open prison and we went to have a look at it and it was the social welfare office that paid for it in the beginning and then I just paid the little that was left that the benefits didn't cover myself. I got housing allowance, I think the rent was something like 300 euros a month and the housing allowance was about 200 euros a month, and I paid about 30-40 euros and the social welfare office paid the rest, so there was no problem with paying for it.

The Prevailing Model of Re-entry

Re-entry is the reintegration process by means of which the former prisoner re-enters his or her home community, adjusts to and reconnects with the place of employment, family, community, and civilian life. The majority of current models of reintegration focus on providing re-entry services to people upon their release from serving the incarceration portion of their sentence. In Finland, policy makers recognise the need to prepare inmates for the transition back to the community prior to their release and comprehend that, for re-entry to be successful, its planning should begin when the person enters prison.

Ex-offenders struggle to establish their place in society while coping with social pressure and economic hardship that led them to crime in the first place. The impact that released offenders have on public safety cannot be ignored any longer. Of the large number of offenders released each year, an estimated two-thirds will be rearrested within three years of their release (Langan & Levin, 2002), therefore re-entry has major implications for community safety. What is more, a growing proportion of offenders is being released without post-prison supervision or social services being made available to them (Petersilia, 2000). It is of utmost importance to break the cycle of arrest, confinement, and release, as about 4,000 prisoners are released from Finnish Prison Institutions each year, four times the number that came home 30 years ago (Harrison & Karberg, 2004). After all, we should keep in mind that 97 per cent of those incarcerated will eventually be released.

Automatic Release from Prison

Prisons are a tool used to punish those who disobey the laws of the land and a way to safeguard the public as long as the offender is incarcerated. However, Finnish prisoners are highly aware of the fact that prison is not permanent, and that compared with other penal systems, the majority of offenders return to their communities after a relatively short period of time. When an offender is sentenced in court, he or she is notified exactly how long the sentence is. Even if an offender is not granted an early release by a review board or is pardoned by the president, they will automatically be released at the end of their sentence, with the exception of life sentences for which there is no automatic release date. However, even an offender with a life sentence may be granted release by the Parole Board², but will have conditions attached to his or her discharge for the rest of his or

2. See <http://www.rikosseuraamus.fi/16027.htm>

her life. Any violation of those conditions may result in the offender being recalled to prison (Carlen and Worrall, 2004).

In Finland, there are several ways for an offender to be released before the end of his or her sentence. Conditional release programmes such as day parole, full parole and statutory release, are “based on the premise that a period of *supervised* transition from prison to the community enhances public safety and the rehabilitation of offenders”³. However, offenders released on day or full parole have been found to be less likely to re-offend violently than offenders released under statutory release (Motiuk *et al*, 2005). One could argue this is due to the fact that day and full parole are earned whereas statutory release is automatic, occurring after two-thirds of a custodial sentence. Therefore, an offender could be denied parole but still be released on their statutory release date whether or not they or the community are ready. Due to its automatic nature offenders released on statutory release have not necessarily developed insight into the reasons for their offending or experienced any significant levels of remorse for their actions. As a result, an offender released on statutory release may pose no less threat to society than when he or she was first incarcerated.

Canada, England and Wales have also adopted automatic releases, though with slight alterations. In England, an offender who is given a prison sentence of twelve months or less will automatically be released halfway through serving it and will only be supervised while back at his community if under 21 years of age (SEU, 2002)⁴. Most prisoners serving sentences between twelve months and four years will be released halfway through on licence, i.e. with conditions (SEU, 2002).

3. See <http://www.rikosseuraamus.fi/16933.htm>

4. The Social Exclusion Unit report was commissioned by the UK Prime Minister in 2002 to explore with other government departments how to cut rates of re-offending by ex-prisoners. The report sets out the scale of the problem, examines the causes and explains why the system does not work better and makes recommendations for the way forward. The report is the result of a wide-ranging consultation by the SEU. This included a written consultation and a series of seminars with practitioners, managers and a broad range of service users both inside and outside the criminal justice field. The report has also been informed by visits the SEU made to over 50 prisons as well as to probation services, voluntary groups, housing, family, drug, health and employment projects to see good practice in action and hear the experiences and views of front line staff and users.

Prisoners released on licence in Canada⁵, England and Wales will be supervised for a period of time by a probation/parole officer in the community (SEU, 2002).

Even if one is sentenced in Finland to life in prison, he or she starts to think of re-entry at a certain point of time, as a life sentence, according to the Criminal Sanctions Agency in Finland, is on average 13 years long and convicts can be released after serving 12 years, when they are first eligible for parole. If he or she is not released at that time, the parole committee is to review the case every two years. The current Finnish parole process has been in force since 2006, when the minimum prison stay for lifers was introduced. Before the new legislation was passed, the shortest time served on a life sentence was 9.5 years. According to Pasi Oksa⁶, the length of prison stay could perhaps be explained by a one-time criminal, for instance the convict who kills a spouse in a fit of jealous rage. He pointed out that “It is unlikely that they would commit another crime. However, there is a murder on their record”. And at the other extreme are the lifers who have been involved in a criminal gang their entire life. Between 2000 and 2009, 39 people sentenced to life in prison were released in Finland. The majority of them were paroled shortly after fulfilling the minimum prison stay of 12 years.

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5. In Canada, the nature of the offence and length of sentence will determine in which system (provincial or federal) an offender serves his or her sentence. The provincial system incorporates custodial penalties of less than two years or community penalties. If an offender receives a sentence of two years or more they will serve their sentence in a federal prison until released into the community where they will serve the remainder until their ‘warrant expiry’ (very end of their sentence).
 6. The director of the Riihimäki Prison, that houses the greatest number of prisoners sentenced to life. Throughout Finland, there are a record 158 people serving a life **term**.

Redefining Re-entry

The issue of re-entry of ex-prisoners and ex-offenders into the community has become an increasingly important one on both sides of the Atlantic. The former U. S. Attorney General Janet Reno described the issue as “one of the most pressing problems we face as a nation” in view of the massive prison population and the rapid increase in rates of incarceration⁷. Similarly in Finland, successful reintegration and lowering of recidivism rates have become increasingly important issues for the same reasons. To promote a more rational and holistic approach, I propose that re-entry be defined as a process that begins at arrest, just as it is illustrated below in Alan Rosenthal six-stage re-entry model. Conceptualised in this way, re-entry is redefined as the process and experience that begins at arrest and continues as far as community reintegration, including release from arrest during pre-trial proceedings, release at the time of sentencing, or release after serving of the sentence. Re-entry encompasses the assessment, preparation, and programming conducted, as well as support services provided, to prepare and assist people who are or were previously incarcerated, to re-join the community and to reintegrate as a law-abiding citizens. By starting re-entry planning at the time of a person’s arrest, the plan can be an effective tool for both advocacy and reintegration at six distinct stages of the criminal justice process.

Six-Stage Re-entry Model

As re-entry research in the past few years has clearly shown (e.g., Travis, 2005), there are many “rocks in the path from prison to home”, but there are just as many rocks in the design and implementation of re-

7. Remarks made by the U.S. Attorney General Janet Reno at the 2000 National Symposium on Indigent Defense. Seen at http://www.sado.org/fees/reno_competent.pdf

entry interventions, and their elimination would provide a smoother trail for helping men and women exit prison and return home. Given the attention focused on prisoner re-entry at all levels of government and the demand for knowing what works, the time is ripe for researchers and practitioners to work together to design and test innovative, research-based re-entry programmes in response to the challenges expected.

Some of the challenges associated with re-entry can be anticipated as early as at the time of arrest. As Alan Rosenthal illustrated in his article “Unlocking the Potential of Re-entry and Reintegration⁸”, a sentencing advocate working with a defence attorney can identify these challenges and develop plans to address them. It should be noted that re-entry planning can also be incorporated into advocacy and specific re-entry activities at several different phases of the criminal case. Altogether there are six stages or points at which re-entry planning can be effectively used for both advocacy and successful reintegration:

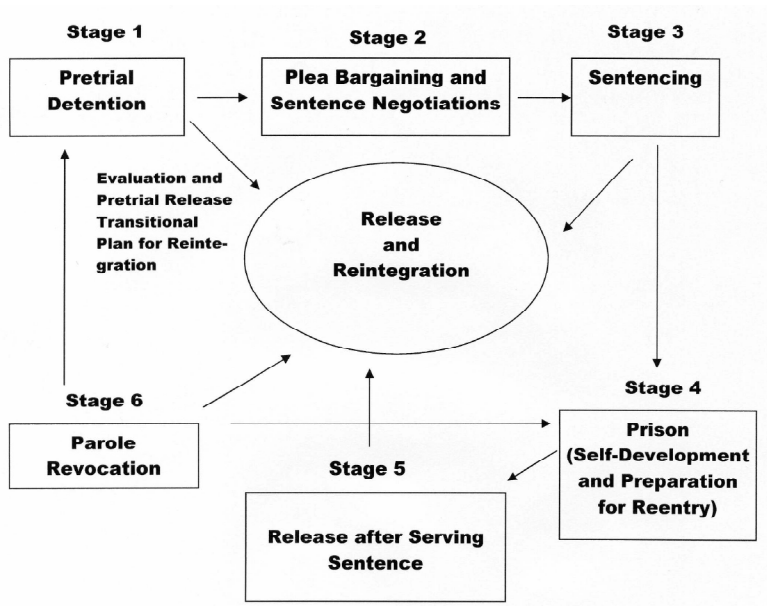
- Pre-trial release
- Plea bargaining and sentence negotiations
- Sentencing
- Self-development and preparation for re-entry while in prison
- Release after serving sentence
- Parole revocation

Six-Stage Re-entry Model⁹

Looking at the figure on the next page, re-entry planning is shown to begin at the time of arrest as the plan is constructed to support the advocacy for pre-trial release. In Finland, re-entry planning at any of

8. See http://www.communityalternatives.org/pdf/unlocking_potential.pdf

9. Design by Alan Rosenthal



the six stages of the criminal justice process can either lead to re-entry or to the next stage where the re-entry plan is re-evaluated and re-used. Re-entry plans established and implemented during pre-trial detention offer the benefits of early reintegration and fewer days spent in jail. Once the foundation of a re-entry plan has been established, it can be more fully developed and presented during plea negotiations as well as to the judge at the time of sentencing. It may also be used to advocate for a more humane, less punitive, individualised sentence. In those cases where sentencing does not result in immediate return to the community, the re-entry plan can be employed as the basis for self-development and preparation for re-entry while in prison.

Reasons for a Six-stage Approach

Some of the challenges associated with re-entry can be anticipated as early as the time of arrest. A sentencing advocate working with a defence attorney can identify these challenges and develop plans to address them. The prosecutor's work in the pre-trial investigation is significant for the progress of the issue with regard to both quality and speed. Re-entry planning that commences at the pre-trial stage offers several advantages from the perspective of professional practice standards for the defence counsel, fiscal responsibility, efficiency, public safety, and social justice:

- It serves as a catalyst for the defence counsel to fulfil his or her professional responsibilities to address early diversion, develop a plan for meeting the accused's needs and a programme for rehabilitation, and develop information that would support a sentence other than incarceration;
- It reduces the use of prison, which is both costly and criminogenic;
- It increases the likelihood of successful reintegration, thus promoting public safety;
- It expedites and facilitates the systematic referral of people in need of services;
- It promotes rational, less punitive, individualized sentences;
- It promotes efficiency and consistency of planning for re-entry.

Challenges for Prisoner Re-entry

Imprisonment carries both direct and indirect consequences for convicts (Jones, 2003). Direct effects refer to what prisoners may lose when they are incarcerated, including everything that is dear to them in the free world, including spouses, children, employment, homes, and personal possessions. The indirect consequences of incarceration may not be evident to prisoners until they are released from prison. Among

these collateral consequences are the physical and psychological effects of imprisonment, including dependency, difficulty in relationships, legal restrictions and disqualifications, inadequate financial resources, unemployment and underemployment. Many have argued that the prison system is a failed policy of crime control, and one measure of this failure is the detrimental effect of stigmatized identity. Ex-convicts must make decisions upon release about how to manage this stigma in both formal and informal social settings.

Given the high prevalence of substance abuse, mental illness, infectious disease, unemployment, and even homelessness among returning prisoners, it is important to explore the role of these factors in successful re-entry and reintegration. Not only do these issues present serious barriers to transitioning prisoners, they also present serious risks to the communities to which large numbers of prisoners return. It is important to note how little we know about how these problems overlap. The challenges can be highlighted by including the following:

- Poor basic education and marketable skills among people who are incarcerated;
- Insufficient opportunities for people in prison to participate in vocational or educational programmes;
- Work assignments or training provided during incarceration that do not always correspond to jobs available in the community;
- Inadequate job opportunities, especially for people with few skills, in the communities to which prisoners return;
- Statutory and regulatory barriers, in addition to employers' general concerns, regarding the employment of people with criminal records;
- Lack of coordination between otherwise effective workforce systems and departments of correction.

Consequently, in order to make re-entry more successful in Finland, policy makers have concentrated on striving to understand the ae-

tiology of offending, with the view to identifying suitable measures aimed at preventing offenders from going back to their old ways. Likewise, other countries all over the world wish to accomplish the same goal. Recent research (e.g., Burnett: 1992; Rex: 1999; Maruna: 2001) has consequently focused upon uncovering the circumstances and processes involved in desistance from crime, which is now widely acknowledged to be a complex process (Shover: 1996). Employment, decent relationship (*marriage or cohabitating*) and the resumption of family responsibilities have all been shown to have an influence on one's refraining from re-offending. Employment remains one of the most important vehicles for hastening an offender's reintegration and strengthening his/her desistance from crime, and fairly strong evidence exists to indicate that an individual's criminal behaviour is responsive to changes in his or her employment (Bushway and Reuter: 2002).

In my survey, ex-inmates were asked whether they were employed in the month prior to their arrest. The majority of them had poor employment histories, and 75 per cent reported that they were unemployed during the time in question; what is more, 65 per cent of all respondents have never been employed. Empirical evidence demonstrates that prisoners struggle to find work after release. There is a serious stigma attached to having a criminal history, particularly a personal record, which was revealed in Holzer's survey of employers, who tend to be very reluctant when it comes to employing felony offenders (Holzer: 1996). He pointed out that ex-offenders are often excluded from the legal labour market. Furthermore, if an ex-prisoner succeeds in finding legal employment, a previous criminal record has a substantial impact on future earnings (about 30 per cent lower compared to a person without a previous criminal record employed in the same capacity), and companies willing to hire tend to offer ex-offenders lower level positions and fewer benefits (Kling: 2000).

Employment prospects for ex-prisoners are further complicated by the fact that many of them have already developed behavioural patterns that make holding a job quite difficult. Criminologists have documented that, over time, ex-offenders become "embedded" in

criminality and their bonds to conventional society gradually weaken, concerning attachment to parents, commitment to work and education, for example. After years of engaging in a criminal lifestyle, re-establishing these bonds becomes very problematic for many people.

Although gainful employment has the most effect on whether the person will successfully re-join his or her community and desist from re-offending, a stable, harmonious and decent relationship can provide a prisoner with emotional support upon release, an immediate place to live, motivation to succeed and possibly additional financial assistance until they are settled. On the other hand, marriage can also produce family dynamics that contribute to family violence, substance abuse and economic pressure. Strained marriages frequently end during the time of imprisonment of one of the spouses.

The policy makers in Finland realise the critical role that family plays in rehabilitation and a great effort to inculcate families as natural supports in rehabilitation and parole programmes is made, unlike in the USA where we see policies that sever ties between family members and inmates (i.e. by greatly restricting visitation rights). Contrary to the Finnish prison visitation policy, the USA opts for making prisons “tougher” on those incarcerated, by—among other measures—reducing the visits of children and other family members. This was clearly illustrated in Hairston’s 2002 article on prisoners and families: “The correctional policies and practice that govern contact between prisoners and their families often impede, rather than support, the maintenance of family ties” (Hairston: 2002, p. 49). In terms of re-entry, limiting family visit has significant implications for cutting down the very contacts that inmates need in order to succeed on the outside.

Substance Abuse

Substance abuse among prisoners presents considerable challenges to the re-entry process. Studies have found that while most prisoners have a history of drug or alcohol abuse, only a small proportion of

them receive treatment while incarcerated, even though substance abuse treatment has been shown to reduce not only drug use but also criminal activity, particularly when in-prison treatment is combined with post-incarceration treatment. In this section, we discuss the prevalence of substance abuse among returning prisoners, the effectiveness of treatment, and the implications of both on re-entry.

Eighty per cent of the state prison population reports a history of drug and/or alcohol use,¹⁰ including seventy-four per cent of those expected to be released within the next twelve months.¹¹ In fact, more than 50 per cent of state prisoners report having used drugs or alcohol at the time they committed the offence that led to their incarceration.¹² The movement from confinement in prison to liberty on the street poses unique hazards for prisoners with a history of substance abuse, with rates of relapse following release from prison strikingly high in the absence of treatment.

For example, an estimated two-thirds of untreated heroin abusers resume their use of heroin/cocaine and return to their patterns of criminal behaviour within three months of their release. The extent to which substance abuse problems are treated prior to and following release from prison has significant implications on whether returning prisoners succeed or not outside the prison walls. Several studies have found that drug treatment can be a beneficial and cost effective way to reduce both substance abuse and criminal activity¹³. Two common treatment modalities typically used with correctional populations and which have been found to have positive effects are cognitive behavioural interventions and in-prison therapeutic communities. In the past 15 years, general agreement prevails among researchers that cognitive-

10. C.J. Mumola, "Substance Abuse and Treatment, State and Federal Prisoners, 1997." Bureau of Justice Statistics, Special Report. Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics, NCJ 172871, January 1999.

11. See Beck, 2000, "State and Federal Prisoners Returning to the Community: Findings from the Bureau of Justice Statistics."

12. See Mumola, 1999, "Substance Abuse and Treatment, State and Federal Prisoners, 1997."

13. See Gaes et al., 1999, "Adult Correctional Treatment." See also Harrison, 2000, "The Challenge of Reintegrating Drug Offenders in the Community."

behavioural programmes can reduce recidivism among the general offender population. These programmes, based on social learning theory, assume that criminal behaviour is learned and therefore they focus on improving interpersonal and coping skills¹⁴. Although research has found that such programmes can reduce criminal recidivism, they also have been found to be less effective among individuals below the age of 25 and among those whose offences involved property and non-violent robbery¹⁵. Cognitive, skill-building programmes were most effective with individuals on probation.

Another approach found to positively affect relapse and recidivism is in-prison residential treatment. Therapeutic communities or residential treatment typically lasts 6 to 12 months and often involves separating the participants from the general prison population. Several studies have found that these programmes can reduce drug use following release from prison. For instance, inmates who participated in residential treatment programmes during incarceration had criminal recidivism rates between 9 and 18 per cent lower and drug relapse rates between 15 and 35 per cent lower than those who received no treatment in prison¹⁶. An on-going evaluation of a residential drug treatment programme within the Federal Bureau of Prisons has found reduced recidivism and relapse rates among treated inmates six months following release. Specifically, inmates who completed the residential treatment programme were 73 per cent less likely to be re-arrested than untreated inmates. Likewise, treated inmates were also 44 per cent less likely than untreated offenders to use drugs within the first six months following release¹⁷. In-prison drug treatment has also been associated with significantly reduced use of injection drugs, reduced

14. The most widely adopted (and evaluated) programme is the Cognitive Thinking Skills Program (CTSP) developed by Robert Ross and Elizabeth Fabiano. It has been widely implemented in several correctional systems, including the United States, Canada, Europe, New Zealand, and throughout the British prison system. See Gaes et al., 1999, "Adult Correctional Treatment," p. 374.

15. See Gaes et al., 1999, "Adult Correctional Treatment."

16. Ibid.

17. B.M.M. Pelissier et al., "TRIAD Drug Treatment Evaluation Project Six-Month Interim Report." Federal Bureau of Prisons, Office of Research and Evaluation, January 31, 1998.

income from crime, fewer prison returns, and fewer hospital stays for drug and alcohol problems¹⁸. However, the most successful outcomes were found among those who participated in both in-prison treatment and community treatment during the period of post-release supervision¹⁹.

Transformation through Self-determination

According to the life-course perspective, ex-offenders desist from crime as a result of having interactive individuals in their lives as well as current situational and community processes (Laub and Sampson: 2001). However, a change in personal conceptions and identity is as important as these influences. Jacobs and Wright, for instance, analyse the case of street robbers and express their scepticism as to whether anything other than lengthy incapacitation would influence them to stop offending since their criminal activities are intrinsically linked to their personal history, relationships and emotional life: “being a street robber is ... a way of behaving, a way of thinking, an approach to life” (Jacobs and Wright: 1999. 162). Maruna added that, for ex-offenders “to maintain abstinence from crime, they need to make sense of their lives” (2001:7).

Offenders are sent to prison as punishment for a crime they have committed, for violating the “social norms or generally accepted standards of society” (Laub and Sampson, 2001: 10). However, one may argue that if no effort is made to increase the chances of successful resettlement and desistance while offenders are incarcerated, they are highly likely to recommence their criminal activity once released, as none of the issues that originally led to their incarceration have been

18. See Gaes et al., 1999, “Adult Correctional Treatment”.

19. See Harrison, 2000, “The Challenge of Reintegrating Drug Offenders in the Community.” See also Gaes et al., 1999, “Adult Correctional Treatment.”

addressed. Communities need to be involved in receiving offenders back, and societal barriers must be addressed. Moreover, it is essential for offenders themselves to have a strong will to reintegrate and become law abiding, contributing members of society. Therefore, an offender's circumstances or structural barriers as well as his or her choices or cognitive barriers need to change in order for resettlement and desistance to be successful, and prison has the potential to be a starting point in this process. Therefore, the prospects for successful re-entry must be influenced by the form of the convicts' relationship to the criminal justice system following release from secure confinement. Although a balanced mix of supervision and support must be the right recipe for maximizing the chances of re-entry, it is difficult to learn a great deal about the optimal design of supervision due to its great variation, lack of data, and wide range of experience across the jurisdictions in Finland.

Education, Employment and Decent Relationship

In Finland, when a person is incarcerated, a tremendous opportunity arises to provide him or her with basic reading, writing, and vocational studies, with a trade that is useful in the marketplace and sometimes even an advanced degree. Too often, however, this opportunity is lost because the individual is not sufficiently interested in participating in the programme offered, because it is poorly timed, or it does not correspond to the person's skills' level, or the spots available are limited.

Both lack of education and unemployment have been found to account for a high percentage of re-offending (SEU, 2002). Therefore, if offenders could upgrade their education and gain employable skills while incarcerated, the likelihood of obtaining employment once released would increase and recidivism would decrease (*ibid*). Sadly, the stigma attached to having a criminal record and previous incarceration

makes it extremely difficult for an ex-prisoner to obtain and sustain meaningful employment (Western *et al.*, 2001 cited in LeBel *et al.*, 2008: 134). Even if an offender does obtain employable skills while in prison, having to disclose a criminal record to a potential employer is likely to be “a significant barrier, resulting in discrimination” (SEU, 2002: 9).

Finally, even if an inmate is willing to participate in the training offered and is successful at securing a spot in a programme matching his or her skills, the majority of offenders serve short sentences making it problematic to complete it before release (SEU, 2002). This creates a major predicament for policy makers as it is the prisoners with short sentences that have the highest re-offending rates (SEU, 2002).

Public Safety and Recidivisms

The rate of recidivism (re-offending) of individuals whose cases have been processed by the system has been a standard performance indicator for the criminal justice system. Entire institutions such as prisons are periodically evaluated according to their recidivism rates, and corrections directors' claim credits if recidivism rates are lower compared to the year before. Directors of individual programmes such as drug treatment, job training, anger management, or parenting classes are frequently asked whether the recidivism rates of their participants are lower than those of comparison groups.

Unfortunately, the key indicator of criminal justice system performance is not reliable to give an accurate picture, as not all crimes committed by released prisoners are detected, and researchers are limited to official records of criminal behaviour, primarily police records. Missing from such data are those who upon their release relocated to a different EU country and other non-EU citizens who were deported

or voluntarily moved out of the country but continued their criminal life style in their new home communities.

Individual rates of re-offending after incarceration are fairly low in Finland. Based on available research, nearly one-fourth of all released prisoners are expected to be rearrested within three years. The challenge is to understand how to effectively manage the inevitable returns from prison so that communities will be safer. This may require a careful look at differential risks posed by former prisoners, new strategies for parole and crime control tactics that reduce reliance on incarceration.

The release of prisoners back into their communities poses two fundamentally interrelated challenges: how to protect the safety of the public, and secondly, how to foster an individual's transition from life in prison to life as a productive citizen. Even though these dimensions of re-entry are related, it is useful to differentiate the potential benefits to public safety from the broader benefits to local communities and former prisoners themselves that successful reintegration promises. There are ways to manage the public safety risks created by returning prisoners other than through expanding the prison population. Research literature has identified a number of interventions such as drug treatment, job training and educational programmes which have been shown to reduce re-offending rates. Consequently, greater investment in these and other recognised interventions is necessary. In addition, evaluation research and innovation would be invaluable when developing strategies that suit the new reality of the large number of prison releases.

Although recidivism is clearly an important indicator of the criminal justice system's effectiveness, it can be argued that the term *public safety* should be seen as a significant gauge of the impact of incarceration and re-entry. Recidivism is, after all, an individual measure of re-offending. Men or women who are released from prison do or do not commit new crimes, and those individual acts, when they result in arrests, are aggregated to create a rate of recidivism. Thus, to comprehend the impact of the changes in the phenomenon of a prisoner's re-entry, one should look at the *flow* of prisoners rather than the *stock* of

the prison population. This perspective necessarily presents a different profile of the population. In a flow analysis, prisoners serving short sentences will be presented in greater portions than those who serve longer sentences, while in a stock analysis, the longer-term prisoners will figure more prominently. Lynch and Sabol highlighted the flow perspective in their *Prisoner re-entry in perspective* by appropriately calling it *churning* (Lynch and Sabol: 2001), namely the large number of prisoners who cycle in and out of prison serving short sentences, getting released, then returning a few months later on another charge only to be released again in a matter of months.

Recommendation

Returning prisoners deal with major concerns as they prepare for life on the outside. They stress the need to negotiate strained relationships, lack of education and poor work histories and difficulties dealing with a changing world full of choices and free of routine or supervision. Employment is critical for returning offenders, but finding and retaining employment is incredibly difficult. Many offenders have limited education and little work experience. Logically, one cannot assume that all ex-offenders have no skills to offer the workforce. This therefore suggests that ex-offenders *are* a potential source of skills, and it makes absolute sense for us to explore this source as a valuable addition to the working community, and their unbiased inclusion in the recruitment process is vital for this to be achieved and indeed to be fair to all.

A felony conviction often restricts the type of employment an offender can be offered, therefore corrections education programmes need to focus on employability issues. Service providers should be urged to teach inmates functional, educational, and vocational competencies based on employment market demand and public safety requirements. Training must correspond with jobs that are in high demand or with

those employment sectors forecast to provide new job opportunities in the community. It is also critical that corrections educators and corrections officials create direct links to employment service providers in the release phase. We must design educational services that meet the employment challenge. Leading the way for employers all over the world is the InterContinental Hotels Group in the UK, an international hotel company currently involved in an innovative project providing catering skills training and work experience to offenders while still incarcerated. The fact that such a training course takes place in prison means that offenders have a chance to improve their skills before seeking employment.

Housing, health care, employment, family stability, and drug treatment are all critical needs that often take on crisis proportions for ex-offenders. However, all of these life challenges are related to education. Inmates who address their educational needs during confinement do better when they return to their families and communities and are significantly less likely to be reconvicted (Harlow, 2003; Steurer et al., 2001). Solomon highlighted in his work *From Prison to Work* that rather than draining community resources, safety and morale, prisoners who return to the community with support systems in place can become productive members of society, thus saving resources, strengthening family and community ties and expanding the labour force and economy (Solomon et al., 2004, p. 1). He also recommended that corrections educators should toil to bring his vision to reality.

Theoretically, the design of an effective prisoner re-entry system is straightforward and incorporates both rehabilitation and supervision elements at all stages, with coordination across and within correctional and social service systems. Faye Taxman (2001), in her analysis of the federally funded re-entry programmes in America, advanced a simple and linear three-phase re-entry model. She illustrated that the first phase begins at entry into prison and consists of an intensive in-prison education and treatment programme guided by thorough risks and needs assessment. The second phase consists of intensive programming and transitional support at the time of release, and the third phase

consists of structured post-release services and supervision matched to offenders' needs. This model also describes an ideal process in Finland where inmates begin preparing for their release on the day of their commitment to an institution. Prison as well as post-release agencies such as parole and probation, in partnership with social service providers, offer a continuum of coordinated rehabilitative programming, supervision and support from prison into the community. In general terms, such re-entry models aim to assist individuals' transitions from incarceration to law-abiding lives, as well as to use early detection and swift sanctioning to prevent individuals from recommitting serious offences.

The emphasis on the practice of prisoner re-entry is an important complement to the current public discussion. The implementation concerns considered here cover a broad range, from encouraging the corrections community to initiate such an effort, to predicting an inmate's release date, to allowing mentoring with an ex-felon, and even to arranging a small celebration of accomplishments. Successful efforts will be responsive to the local internal and external environments and have tenacious supporters. It has already been seen what happens to efforts without these key qualities.

Even if the implementation challenges can be overcome, the sum of the many individual re-entry programmes and efforts within a jurisdiction does not add up to a whole re-entry system. Individual add-on re-entry programmes are difficult to bring to scale and cannot, by themselves, leverage the changes required to develop re-entry systems. The number of offenders under correctional supervision, and, as importantly, the huge and rapid flows of offenders in, out, and between legal statuses, challenge agencies to think corporately and systemically about where, when, and at whom re-entry services are targeted. An independent re-entry effort by an individual agency is more likely to reveal these challenges than to resolve them. KRIS project manager in Tampere once reflected on re-entry issues by saying, "We are working hard to get ex-offenders to enter the world of work and become productive and responsible members of society. But

if there are no employment opportunities available to them, or they come up against prejudice, it can be a real blow to their confidence and they may re-offend. That is why it's so vital that employers in the region get on board with the KRIS programme – it is to everyone's benefit that ex-offenders are given a genuine chance to make a fresh start.” He concluded that, by not employing ex-offenders, employers are also missing out on a significant pool of employees.

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